

APPROVED BY DATE 8/24/2010

2010-24

START ACTION NOTICE

1. TYPE OF ACTION: Amend Section 8 of Regulation No. 1138, Emission Standards for Hazardous Air Pollutants for Source Categories.
2. PURPOSE OF ACTION: Delaware adopted by reference the federal maximum achievable control technology (MACT) standard applicable to halogenated solvent cleaning operations, 40 CFR Part 63 Subpart T (Subpart T), as Section 8 of Regulation No. 1138 on November 1, 2001. Subsequently, the EPA assessed the public's exposure to emissions from halogenated solvent cleaning operations following the implementation of Subpart T, as required under Section 112(f) of the Clean Air Act. The EPA concluded that the technology-based MACT standard (Subpart T) did not adequately reduce the public health risk with an ample margin of safety. On May 3, 2007 amended Subpart T by adopting more stringent residual risk requirements to provide the required ample margin of safety.

The purpose of this planned amendment to Section 8 is to amend, consistent with the EPA's May 3, 2007 promulgation, Regulation No. 1138 to include the more health protective residual risk requirements.

3. STATUTORY BASIS: 7 Del. C., Chapter 60, Environmental Control
4. LIKELY AFFECTED PUBLIC: The public, especially in the vicinity of a halogenated solvent cleaning operation, will benefit from the reductions in methylene chloride, perchloroethylene, or trichloroethylene emissions. The impact on owners or operators of affected solvent cleaning operation will be minimal as these sources have been complying with the equivalent federal requirements since May 3, 2010.
5. PROPOSED SCHEDULE OF ACTIVITIES:
Public Workshop – Fall 2010
Final Regulation in the Register – Winter 2011
Public Hearing – Winter 2011
Effective Date – Winter 2011
6. REVIEW COMMITTEE: The Department knows of no issues which require review committee discussion. The Department plans to conduct a public workshop to educate both the public and regulated community. In addition, the Department will establish and maintain an informative regulatory web site throughout the regulatory development process.

7. RESPONSIBLE STAFF MEMBER: Jim Snead 302-323-4542 (phone)
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8. APPROVALS:


Responsible Staff Member
8/31/10
Date


Division Director
9.7.10
Date